

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

**Anchorage Field Office
4700 BLM Road
Anchorage, AK 99507
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DECISION RECORD

**Temporary Land Use Permit, Film Permit
Applicant: Bongo LLC
Case File Number: AA-092914-B
DOI-BLM-AK-A010-2011-0036-CX**

1. Decision:

It is my decision to authorize a permit to conduct commercial filming which occurred between March 12th and 13th, 2011 without authorization and additional filming from May 16 to June 17, 2011. Stipulations are attached.

2. Proposed Action:

The proposed action is to authorize a permit to conduct commercial filming which occurred at Old Woman Cabin between March 12th & 13th, 2011 without authorization. The filming was conducted at Old Woman Cabin for a cable television show, Flying Wild Alaska and the additional filming is also for the same cable television show. The crew size at Old Woman Cabin consisted of six people for two days. Anticipated filming on additional public lands in the Nulato Hills will take place from 3-6 days between May 16 and June 16, 2011 and consist of 2-6 people on 3-6 days according to the application filed. The application was filed under the authority of Title III of the Federal Land Policy Management Act of October 21, 1976, as amended (90 Stat. 2776; 43 U.S.C. 1761).

3. Rationale for the Decision:

The rationale for the decision is based on the need of the applicant to engage in commercial filming activity on public lands.

The proposed action is in conformance with the Kobuk-Seward Peninsula Resource Management Plan, Approved: September, 2008. The area of the proposed activity is not within a critical subsistence use area and no serious wildlife problems are anticipated.

4. ANILCA Section 810 Compliance:

The proposed action will not significantly restrict subsistence uses. No reasonably

foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, and nor reasonably foreseeable limitations on harvester access will result from the proposed action.

5. Adverse Energy Impact Compliance:

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

6. Lands with Wilderness Characteristics:

The proposed action has been reviewed for the following Wilderness Characteristics and found to contain one or more of the characteristics:

- 1) Size-roadless areas of over 5000 acres of contiguous BLM lands.
- 2) Naturalness-affected primarily by the forces of nature, with the works of humans substantially unnoticeable to the average visitor
- 3) Outstanding opportunities for solitude or a primitive and unconfined type of recreation.
- 4) Supplemental values-if size, naturalness, and solitude/outstanding opportunities are met, then consider if the area contains ecological, geological, or other features of scientific, educational, scenic, or historical value. Supplemental values are not required to be present in order to classify an area as Lands with Wilderness Characteristics.

Two sites that will be filmed are located in the Nulato Hills along the Ungalik River and a large block of BLM land encompassing more than 5,000 contiguous acres surrounds the area of the proposed activity. The area is largely untouched by man and offers outstanding opportunities for primitive outdoor recreation. The Visual Resource Management classification within the land use plan (Kobuk-Seward Peninsula September 2008) is Class II. The proposed activity will not alter the scenic or recreational nature of the area or affect the wilderness characteristics of the area. The Old Woman Cabin site is located on the Iditarod Trail and sees sporadic public use mainly associated with the Iditarod Dog Sled Race, an annual race from Anchorage to Nome.

7. Consultation and Coordination:

Public participation was accomplished through the development of the Kobuk-Seward Peninsula Management Plan which anticipated routine land authorizations in accordance with Title III of FLPMA. Adequate measures to protect public lands through stipulations and required operating procedures are in place. Internal scoping was conducted by AFO

staff and included threatened and endangered species, cultural clearances and ANILCA 810 analysis.

8. Compliance and Monitoring Plan:

Compliance and monitoring of this authorization will be conducted by the BLM Anchorage Field Office.

/s/

7/29/2011

Matthew S. Varner
Anchorage Field Manager, Acting

Date

Attachments: Terms and Stipulations



U.S. Department of the Interior Bureau of Land Management

Anchorage Field Office
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Anchorage, Alaska 99507
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<http://www.blm.gov/ak/st/en/fo/ado.html>

**Categorical Exclusion
Land Use Permit; Commercial Film Permit
Applicant: Bongo LLC
Case File Number: AA-092914-B
DOI-BLM-AK-A010-2011-0036-CX**



Location:

Kateel River Meridian, Alaska

T. 8 S., R. 9 W.,
sec. 33;
T. 3 S., R. 3 W.,
sec. 28;
T. 17 S., R. 6 W.,
sec. 15 (within)

Prepared By:

Anchorage Field Office
June 2011

CATEGORICAL EXCLUSION

A. Background

BLM Office: Anchorage Field Office Lease/Serial/Case File No: AA-092914-B

Environmental Document No: DOI-BLM-AK-A010-2011-0036-CX

Proposed Action:

The proposed action is to authorize a permit to conduct commercial filming which occurred at Old Woman Cabin between March 12 & 13, 2011 without authorization. The filming was conducted at Old Woman Cabin for a cable television show, Flying Wild Alaska and the additional filming is also for the same cable television show. The crew size at Old Woman Cabin consisted of six people for two days. Anticipated filming on additional public lands in the Nulato Hills will take place from 3-6 days between May 16 and June 16, 2011 and consist of 2-6 people on 3-6 days according to the application filed. The application was filed under the authority of Title III of the Federal Land Policy Management Act of October 21, 1976, as amended (90 Stat. 2776; 43 U.S.C. 1761).

Location: The three film locations were located in the Nulato Hills, near Traverse Peak, and the Ungalik River (approximately 17 miles southeast of Koyuk and 48 miles north east of Shaktoolik), and at the Old Woman Cabin on the Iditarod Trail near Unalakleet, (approximately 40 miles east of Unalakleet) within the Norton Bay D-3 and Candle A-1 and Norton Bay A-2 Quadrangles on the following described public lands:

Kateel River Meridian, Alaska

- T. 8 S., R. 9 W.,
sec. 33;
- T. 3 S., R. 3 W.,
sec. 28;
- T. 17 S., R. 6 W.,
sec. 15 (within).

Description:

The filming was conducted at Old Woman Cabin for a cable television show, Flying Wild Alaska and the additional filming is also for the same cable television show. The crew size at Old Woman Cabin consisted of six people for two days. The filming expected to take place in the Nulato Hills will consist of 2-6 people on 3-6 days from May 16-June 17, according to the

application filed. Access is by fixed wing aircraft except for the Old Woman Cabin site which was accessed by snowmobile from the town of Unalakleet. The company owning the planes, Era Alaska, is the subject of the film documentary. The applicant filmed various transporting activities of Era Alaska in 2010 (authorized under case file AA-092914-A) including dropping off big game guides and their clients and delivering supplies and services at remote landing strips in the Nulato Hills. The filming in 2010 was authorized after the activity took place.

Applicant: Bongo LLC

B. Land Use Plan Conformance 43 CFR 1610.5-3(a)

Land Use Plan Name: Kobuk-Seward Peninsula Approved: September, 2008

The proposed action is in conformance with plan because it is specifically provided for in the following planning decisions: Under Lands and Realty H-2-a 4. Permits

C. NEPA Compliance

The proposed action for the short term right-of-way is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR §46.210 or United States Department of Interior Manual, Part 516, Chapter 11, and the BLM NEPA Handbook H-1790-1, Appendix 4 p. 152 which provides:

E. Realty

19. Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.

D. Extraordinary Circumstances

The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents must be prepared for actions which may:

1. Have significant adverse impacts on public health or safety.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers;

prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
7. Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.
9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

This categorical exclusion is appropriate because there are no extraordinary circumstances that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances in 43 CFR §46.215 are pertinent.

E. Adverse Energy Impact Compliance:

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

F. Signature

The proposed action is in conformance with a management framework plan or a resource management plan, 43 C.F.R. § 1610.8(a)(3) (2006). The Department of the Interior has determined and found that the proposed action is within a category of actions that do not individually or cumulatively have a significant effect on the human environment and that neither an environmental assessment nor an environmental impact statement is required, 40 C.F.R. §1508.4 (2006).

Authorized Official: /s/ Matthew S. Varner, Acting

Date: 7/29/2011